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Plat Vacation of Henry Coons Addition to West Point,
Lots 3, 4, 13, and 14

STAFF REPORT
November 14, 2013

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Lots 3, 4, 13, and 14**

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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner is requesting approval to vacate Lots 3, 4, 13, and 14 in Henry Koons Addition to West Point, formerly Middleton, located between Mulberry and Washington Streets, ½ block south of Walnut, on the north side of platted but unimproved Pearl Street, in the unincorporated town of West Point, Wayne 24 (NE) 22-6.

AREA ZONING PATTERNS:

The subject lots are zoned AW, Agricultural Wooded, as are all surrounding properties. A half a block to the north begins the R1B zoned platted lots of West Point; farther to the south is FP zoning associated with Flint Creek.

AREA LAND USE PATTERNS:

These four lots are currently unimproved; vacating these four lots will allow construction of a more centrally-located single-family dwelling on site. Two adjacent platted streets that have never been built, Mulberry to the west and Pearl Street to the south, have been vacated by action of the County Commissioners (Ordinance #2013-31CM, November 4, 2013).

TRAFFIC AND TRANSPORTATION:

These lots, once vacated will consist of a 0.8 acre tract (34,848 square feet) with frontage on CR 700 W, a rural secondary arterial as classified by the adopted *Thoroughfare Plan*. An unimproved 12' wide alley right-of-way is adjacent to the north.

STAFF COMMENTS:

Currently the property owner has four small building sites, platted 175 years ago when the platted streets and lots of West Point covered a much greater area than the development pattern that exists today. The lots do not meet current Health Department size regulations for lots served by septic systems. One of the lots (Lot 13) no longer has access to a public street. Vacating these four lots will create a single buildable tract of land with frontage on a county road located on the outskirts of the current unincorporated town of West Point.

The following staff comments pertain to the items on the ballots for **Vacation of Lots 3, 4, 13 and 14 in Henry Koons Addition to West Point**. Pursuant to Indiana Code 36-

7-4-711, the Area Plan Commission must make the following findings and conclusions in order to approve this proposed plat vacation. It is staff's opinion that:

1. According to the Tippecanoe County Auditor's records, the petitioner **is** the owner of said Lots 3, 4, 13, and 14 in Henry Koons Addition;
2. Conditions in Lots 3, 4, 13, and 14 in Henry Koons Addition **have** changed so as to defeat the original purpose of the plat. Since the recording of the plat in 1837, the unincorporated town of West Point, a town without sanitary sewer, has developed to the north of this site. These four lots are located at the edge of town.
3. It **is** in the public interest to vacate the plat of Lots 3, 4, 13, and 14 in Henry Koons Addition. The current lot area standard for properties on septic systems is a minimum of 30,000 square feet. Individually, these four lots are too small to meet that requirement; put together these vacated lots have an area of 34,848 square feet.
4. The value of that part of Henry Koons Addition not owned by the petitioner, as well as the rest of platted West Point, **will not** be diminished by the vacation of the plat of Lots 3, 4, 13 and 14. AW zoning will allow the use of the property as a single-family residence and vacating these lots will result in a buildable site.

STAFF RECOMMENDATION:

Approval of the vacation of Lots 3, 4, 13 and 14 in Henry Koons Addition